

WILL COUNTY BOARD
LEGISLATIVE & POLICY COMMITTEE MEETING
MINUTES

April 13, 2010

8:30 a.m.

Will County Office Building
County Board Committee Room
302 N. Chicago Street
Joliet IL 60432

CALL TO ORDER

Ms. Goodson called the meeting to order at 8:34 a.m.

ROLL CALL

Present were Members: Brooks, Konicki, Rozak, L. Smith, Traynere and Goodson.

Absent were Members: Wilhelmi

Also Present: County Board Chief of Staff Bruce Friefeld

Present from State's Attorney's Office: Melanie Manning

PLEDGE OF ALLEGIANCE TO THE FLAG

Coroner Pat O'Neil led the committee in the pledge of allegiance.

APPROVAL OF MINUTES

A motion was made by Ms. Smith, second by Mrs. Rozak, to amend the minutes from the February 9, 2010 meeting to include the letter that Ms. Konicki distributed. All in favor.

MOTION CARRIES.

A motion was made by Ms. Traynere, second by Ms. Smith, to amend the February 9, 2010 minutes to reflect the second was made by Ms. Konicki to adjourn the meeting. All in favor.

MOTION CARRIES.

A motion was made by Ms. Smith, second by Mrs. Rozak, to approve the February 9, 2010 minutes, as amended. All in favor.

MOTION CARRIES.

OLD BUSINESS

Policy Refunding or Waiving Building Inspection Fees and/or Application Fees

Brian Radner advised that the resolution and necessary documents are attached.

Ms. Traynere inquired how they determined the cities.

Mr. Radner replied that they spoke with Kendall and Lake counties and the City of Joliet. We also did a posting on the Illinois Association of Counties inquiring what other jurisdictions are doing for fee waivers and refunds. These were their responses.

Ms. Goodson stated that the proposed resolution allows waiving of zoning application fees for certain cases for governmental bodies not to exceed \$2,500.00.

Mr. Radner advised this does not apply to building permits or site development permits.

Refunds would be done on a case by case basis if someone wants to submit one we would bring it forward through the committee to the board.

Mr. Brooks inquired if this was the first draft.

Mr. Radner replied this was the 4th draft but the original resolution passed in 1999 was attached and was the prior policy.

Mrs. Rozak asked if there would be a bookkeeping issue on refunding refunds.

Mr. Radner replied that in the resolution it mentioned if the County decided to a refund that certain dollar amount would be allocated to Land Use from some other fund to cover the costs. Land Use does not currently have a fund for this.

Ms. Traynere reiterated this covered zoning fees where we would waive for local governments but did not include not for profits.

Ms. Goodson advised that we did not include not for profits.

A motion was made by Mrs. Rozak, second by Mr. Brooks, to move this item forward to County Board. All in favor except Ms. Konicki voting no. MOTION CARRIES.

Continued Discussion Re: SB1607-EPA Construction & Demo Debris

Ms. Goodson advised that this item would be kept on the agenda. She has attended meetings regarding legislation discussion on SB1607. We have had meetings with IEPA, the Attorney General's office and waste management people. Our lobbyist met with Mr. Greg Wilcox who represents the quarry group to discuss this issue. There is a 10:00 a.m. meeting today with the lobbyists, Mahar, Hassert and Metro Counties Kip Kolkmeir. It looks like the legislature is moving forward with this although the EPA may oppose the language. The legislature reconvenes today and has 4 weeks left in session.

Other Old Business

Ms. Konicki advised that regarding the policy for the waiver of fees the minutes do not reflect the letter she submitted and I think it was attached to last month's meeting agenda. There is an open meetings act issue here and was distributed to all the board members it needs to go into the minutes

of the meeting otherwise we have an open meetings act violation. I know I distributed it at the meeting and it is not attached to the minutes.

Staff informed Ms. Konicki that any information distributed at a meeting becomes part of the original minutes and is kept in the binder with the entire original packet for that committee and date. I do not send out everything because you will not know what was from last time and what is from this time.

Ms. Konicki inquired what if someone wants to come in and look at the book, her letter would not be included.

Staff advised that it would be in the book.

Mr. Friefeld stated that if you want your letter incorporated into the minutes of the meeting then you need to distribute it at the meeting.

Ms. Konicki replied she did.

Mr. Friefeld advised that if it was distributed at the meeting then it will be in the files.

Ms. Konicki inquired if it was referenced in the minutes.

Staff replied that it should be but could not verify at this time.

Ms. Konicki stated that it ought to be referenced with see attached.

Mr. Friefeld replied that if it was distributed at the meeting it should be incorporated in the minutes but his concern is if county board members sending communication to all the county board members and when you reference an open meetings act violation, we would have no idea who that letter went to except on your say so. If this was at the meeting then I suggest this be added to the minutes unless it was a power point presentation or something like that.

Mrs. Rozak stated she did not believe that she has ever received minutes with something attached to them. Is this something new that needs to be started?

Mr. Friefeld replied maybe because when Ms. Konicki submits a letter it usually states a position she has on a matter and wants it accurately reflected.

A motion was made by Ms. Konicki, second by Mrs. Rozak to amend the minutes to accurately reflect the letter. All in favor.

MOTION CARRIES.

Ms. Traynere advised that the minutes reflect that she made the motion to adjourn when in fact she was not at the meeting.

Ms. Konicki stated that she made the motion.

A motion was made by Ms. Traynere, second by Ms. Smith, to amend the February 9, 2010 minutes to reflect the second was made by Ms. Konicki to adjourn the meeting. All in favor.

MOTION CARRIES.

NEW BUSINESS

Discussion Re: HB6204-Coroner Trauma Fund

Coroner Pat O'Neil stated that there are a couple pieces of legislation that the committee might be interested in. He is here on behalf of his office as well as the Illinois Coroner's and Medical Examiner's Association. If the committee feels these are good ideas then we would advocate our legislative employees in Springfield to lobby to move these along. HB6204 regarding a coroner trauma fund. There is currently a Hospital Trauma fund in Illinois. There are trauma centers that treat the most critical injured or ill people in the State of Illinois. They created a fund that those who commit serious traffic offenses, get convicted for unlawful use of a weapon and drug dealers have to pay a portion into the trauma fund. Then that money is distributed to the trauma centers in Illinois to help offset the treating of critically injured people. We thought why not have a coroner's trauma fund as we are the ultimate trauma center, our coroner's offices in the state, which would duplicate the fees that create serious traffic offenses, unlawful use of a weapon and sell drugs to people on the street. By duplicating that fee the coroner's office and medical examiner's office would be reimbursed a portion it costs to investigate the trauma or injury type cases.

Ms. Goodson stated that this is currently in Rules as of February. She reiterated that there is already an existing hospital trauma center fund and the fee for that is \$55.00. This is proposing an additional \$55.00 and that would go into the Coroner's Trauma fund. Those monies would be used to reimburse the trauma cases for investigation.

Mr. O'Neil stated it would be probably for autopsy which is what costs the most money. Cook County would collect the majority of the funds and the collar counties would also collect. You would turn in a death certificate at the end of the year, all the death certificates that are unnatural deaths and be reimbursed. We have about 200 unnatural deaths.

Ms. Rozak inquired how does that work, for example the fine is \$500 and out of that comes \$55.00 currently and the rest of the fine would be distributed wherever it goes right now. Now if we are taking the \$55.00 who would be losing that money.

Mr. O'Neil advised that it would be in addition, we would be adding it to the fine bringing it to \$110.00.

Ms. Smith inquired that if the money we collect goes to Springfield, what would be the guarantee that we would get our fair share back.

Mr. O'Neil advised that is correct and they charge an administrative fee of 2 ½ %. We could change the language. He referenced the press releases in the packet from the Illinois Department of Health that talks about the monies already distributed in previous years. The Coroner's Association perhaps could collect \$150,000 per year.

Ms. Traynere inquired if we levy the fine do we know that this is all the fines that were paid or is this the money they received.

Mr. O'Neil replied that this is actual dollars received. These are press releases from 2003 and 2004.

Ms. Rozak inquired if the hospitals are receiving their money now.

Mr. O'Neil replied he could find out. The drawback of this not passing is a piece of legislation called the transfer out legislation. The coroner medical exam that handles the death investigation is not where the particular accident or trauma occurred; it is the county the person ultimately died in is the coroner medical examiner's office that takes jurisdiction over the investigation. For example if there is a shooting or accident in Will County and they transport the critically injured to a trauma center in Chicago. If the person dies in Chicago, the Cook County medical examiner's office has to take jurisdiction for the death investigation. They have to do the autopsy and the tox. If the Coroner's Trauma Fund is in place, the medical examiner would be reimbursed for that trauma. There is currently some proposals where Cook County wants to charge back other counties for injured person, if a death occurs that the accident happened in. We don't have budgeting for that. He has been told that the Coroner Trauma fund would be better for them. There are other states that have charge back legislation in Coroner Medical Examiner's situations.

Ms. Goodson advised that we will keep an eye on this as there is nothing happening with this legislation at this time.

Mr. O'Neil advised that the entire association of the Illinois Coroners and Medical Examiners are in favor of this legislation and has been working on this language for three years. The Cook County medical examiner is in favor of this and an advocate of the charge back legislation.

Ms. Smith advised that some years ago we got the clerk fees increased but the circuit didn't increase the fees. What happened was the clerk got more money and then the municipalities got less money so there would have to be some type of cooperation that they would increase the fee.

Mr. O'Neil advised that he just distributed SB2529 which would be an increase of the fee for the reports we sell. The association has proposed an increase of selling autopsy reports from \$30.00 to \$50.00. Autopsies are now \$800.00 and not \$300.00 as they were in the 1980's. Toxicology report was \$15.00, we are recommending \$25.00. Photographs are \$3.00 per picture. These are statutory fees our offices are charging. The largest is the license to cremate, currently we are at \$10.00, Cook County is currently at \$20.00. The fees from our neighboring states are anywhere from \$50.00 to \$165.00. We have to do a mini type of investigation to insure that the cause of death was because they were not ambulatory due to a car crash, sepsis due to neglect from a nursing home. Will County currently issues about 1,000 permits and currently collect about \$10,000. We would be receiving just

from cremations about \$50,000.00. 1,181 cremation permits were issued last year. We review all of them and the fee attached to that permit fee is the \$10.00 for the work that we did and we are proposing raising that to \$50.00. We would receive \$60,000. These fees have not been increased since 1980's. Our expenses have quadrupled since that time. If someone is indigent or poor and can't pay we have the discretion to allow no fee or not charge them for the documents.

Ms. Traynere inquired if there had been any discussion regarding organizations that take organ-human remain donations for medical science and then cremate the bodies. She did not know if any fees were charged and it didn't seem appropriate to charge a fee.

Mr. O'Neil replied yes, there is a fee charged for people to donate their bodies to science because in order to do that in Illinois you must go through the license funeral director to do and prepare all the paperwork necessary for that and the transportation to the anatomical gift society in Chicago.

Ms. Traynere inquired if there was a medical examiner's permit fee.

Mr. O'Neil replied yes and the fee is included along with the paperwork because their ultimate form of disposition will be cremation. He advised that the legislation has passed the Senate and is in the House.

Ms. Konicki asked on the permit to cremate a dead body what is the fee for again?

Mr. O'Neil replied that they issue the license for cremation so before anyone who dies in Will County can be cremated we have to review their death certificate. Many times their physician is signing it. Physicians cannot sign if it is an unnatural cause, a coroner would review those. If someone else is certifying the death certificate, those have to come back to us to examine.

Ms. Konicki stated that you would have to do that whether or not the body would be cremated.

Mr. O'Neil replied no, if the body is being buried we don't see the death certificate because cremation is so final there is no chance to get DNA to say that was the deceased person.

Ms. Goodson recommended that they pass this information onto our lobbyist Bill Mahar asking him to monitor them and have him contact Mr. O'Neil. We can't take any action today because it wasn't on our agenda but we can bring it back next month for a resolution in support of SB2529 next month.

Discussion Re: HB4650 Prisoner Census

Ms. Goodson advised that this bill is a decision on whether or not to include the prison in the population count. Some counties do include the prisoner population. According to this Prison Policy Initiative 10 Illinois counties with large prison populations exclude the population when apportioning local government. My understanding is that it would be devastating to Crest Hill to not include the

prison population. Historically they have been included in their census count. The bill is in the rules and inquired if the committee wants to do a resolution in support to include counting the prisoners.

Ms. Traynere stated that if they can't vote, how we can count them. She did not know how this impacts Crest Hill, such as what do they provide that costs them money. She requested additional information.

Mr. Ryan stated that the legislation requires the census figures to reflect the pre-incarceration addresses. If we have a lot of folks in Crest Hill that would not come back to us it would go with the prisoner. Crest Hill does incur expenses due to housing. Sponsors of this bill are from Cook County.

Mr. Moustis stated if the prisoners are here then they should be counted here.

Ms. Goodson advised that the Governmental League is opposing this meaning they want to include the prison population in Crest Hill.

Mr. Friefeld read the synopsis of HB4650 into the record.

After further discussion, it was agreed that more information would be obtained before moving forward on this legislation.

A motion was made by Mr. Brooks, second by Ms. Traynere, to move this issue to the next committee agenda. All in favor, with Ms. Konicki voting no. MOTION CARRIES.

Discussion Re: Veteran's Medical Facility Located at Silver Cross Hospital Location

Ms. Goodson recommended that the draft resolution be approved and sent to our State representatives regarding the Silver Cross Hospital building becoming a Veteran's Medical Facility. She advised that Congresswoman Halvorson is working on this along with the congressional representatives.

A motion was made by Mr. Brooks, second by Ms. Smith, to move this resolution forward to County Board for approval. All in favor except Ms. Traynere abstaining.

MOTION CARRIES.

Resolution Opposing Reduction of Local Government Distributive Fund

Mr. Ryan advised that this is Senate Bill 3474 which is the distribution of Recovery Bonds Allocation and that the house and senate are moving this legislation quickly. This would allow the state to capture unused funds. The new amendment would move the designation of funds be adopted by August 1st. Anyone can then compete for the funds which will be a competitive bid process.

A motion was made by Ms. Traynere, second by Mrs. Rozak, to move this Resolution forward to County Board for approval. All in favor. MOTION CARRIES.

RECORDER MALFUNCTIONED AT THIS TIME.

Other New Business

Third Airport

Mr. Ryan advised that Jack Lavin is overseeing a discussion with Speaker Madigan and are addressing this proactively. It is on record that the state legislation is required. There is a meeting scheduled with Governor Quinn today at the Governor's office. Will County is using Will County CED through John Greuling. The Governor says that it only needs legislation now. This is a step in the right direction. The FAA needs information and see responsible government entity.

Mr. Moustis stated that the airport requires legislation and we should now be involved with what to move forward to establish the government airport authority.

Mr. Ryan stated if we can get the legislators to create the airport authority which includes Will County Board.

Ms. Konicki stated that according to the press there are still two plans. She suggested that either the County Executive or County Board communicate that information to the press.

Mr. Ryan replied two were submitted, IDOT and ALNAC's, but they will only consider one plan and one governing authority in place which is the state's decision. He advised that the FAA rejected the other plan and we support IDOT's plan submitted to FAA.

Prisoner Census Addresses

A motion was made by Ms. Konicki to keep this issue on the agenda. Motion fails for lack of second.

Cell Tower Legislation

Ms. Goodson advised that the Land Use Department, Brian Radner, worked with Lake County and Representative Osmond regarding the telecommunication company's legislation. The legislation has been amended to only include 30 day notice to County Board members (we wanted the county board district). The bill has been placed in rules and according to Representative Osmond the legislation would be tabled so the telecommunication act could be rewritten to would include this. She advised that the Telecommunication Act, HB6425, would be placed on next month's agenda.

Mr. Moustis made a motion to take no action at this time regarding Item #2 HB4650. Motion died for lack of a second.

ANNOUNCEMENTS BY THE COMMITTEE MEMBERS

ADJOURNMENT

A motion was made by Mrs. Traynere, second by Ms. Smith, to adjourn the meeting at 10:05 a.m. All in favor.

MOTION CARRIES.